

STARRED QUESTIONS

(To which oral answers were given)

The Directorate of Prosecutions

(74) SRI C. M. ARUMUGAM (K.G.F.) — Will the Minister for Law, Social Welfare and Backward Classes be pleased to state. —

(a) the expenditure incurred for the formation of the Directorate of Prosecutions ;

(b) the achievements in securing convictions in the Magistrates Courts (Figures may be furnished) three years before and after the formation of the Directorate ?

SRI L. G. HAVANUR (Minister for Social Welfare and Backward Classes) .—

(a) (i) Rs. 1,84,511 per annum upto 14-11-1976 i. e, for the period prior to the restructure of the Directorate in G.O No. LAW 84 PPE 75 dated 1-12-1975.

(ii) Rs. 4,60,577 per annum subsequent to 14-11-1976.

(b) *Vide* Statement appended.

STATEMENT

Showing the cases reported (with previous pendency) Cases chargesheeted (with previous pendency of cases in courts) and Cases convicted for the years 1970 to 1972 and for the years 1973 to 1976.

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---|--|--------------------------------|--------------------------------------|--|-----------------|---|
| Years | Cases Pending investigation from previous year | Cases reported during the year | Cases Charge sheeted during the year | Cases pending Trial from previous year | Cases convicted | Percentage of conviction to cases chargesheeted |
| (For three years before the formation of the Directorate of Prosecutions) | | | | | | |
| 1970 | 6,942 | 35,566 | 19,493 | 15,819 | 9,900 | 28.04 |
| 1971 | 6,491 | 36,557 | 22,400 | 17,637 | 10,039 | 25.07 |
| 1972 | 6,204 | 37,786 | 22,031 | 16,134 | 9,636 | 25.25 |
| (For three years after the formation of the Directorate of Prosecutions) | | | | | | |
| 1974 | 8,733 | 48,321 | 28,691 | 20,427 | 12,054 | 24.54 |
| 1975 | 9,491 | 49,491 | 29,214 | 22,911 | 12,324 | 23.64 |
| 1976 | 8,831 | 50,640 | 32,822 | 29,963 | 13,968 | 23.76 |

SRI C.M. ARMUGHAM.—First of all, may I know the reason for the formation of the Directorate?

SRI L.G. HAVANUR.—The Law Commission, in its 14th Report, had suggested that for the efficient working of the Department of Prosecution, there should be coordination between the investigating agency and the prosecuting agency. In pursuance of the said recommendation the present Directorate came into existence in 1972.

SRI C.M. ARMUGHAM.—When it was established the expenditure was Rs. 1,84,511 and subsequently it increased to Rs. 4,60,577 per annum. What is the reason for such abnormal increase of expenditure?

SRI L.G. HAVANUR.—The figure relates to 1973.

SRI L.G. HAVANUR.—The figure furnished viz. 1,84,511 is incorrect. I may kindly be pardoned. It is an inadvertent mistake. 1,84,511 rupees is the expenditure incurred during 1973 when the Directorate was established; it does not indicate the expenditure incurred every year as stated here.

SRI C.M. ARMUGHAM.—From the appendix you will see that after the formation of the Directorate the cases reported as well as the cases pending have increased. But the percentage of conviction has been reduced. May I know the reason?

SRI L.G. HAVANUR.—There has been a slight decrease in the convictions and the reason for the decrease in the securing or conviction is that in many cases either witnesses turned hostile or they did not appear before the court.

SRI C.M. ARMUGHAM.—What is the assistance given and what are the guide-lines issued from the directorate to the Assistant Public Prosecutors working in the State?

SRI L.G. HAVANUR.—Prosecution of different cases is a very comprehensive work entrusted with the Directorate of Prosecutions. The Assistant Public Prosecutors who are required to conduct the cases in the courts of the Magistrates, receive general instructions from the Directorate of Prosecution whenever they find any doubt in the matter of the conduct of the cases or when any legal difficulties arise. So, the Directorate of Prosecution is indeed giving assistance to the Assistant Public Prosecutors.

SRI G.B. SHANKARA RAO.—A number of cases are pending investigation for about three years. May I know what is the reason?

SRI L.G. HAVANUR.—I do not find any mention of the cases which are not investigated.